

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CITY MERCHANDISE INC.,

Plaintiff,

-against-

TIAN TIAN TRADING INC. & WEIWEI LIN,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/23/2023

1:19-cv-09649-MKV

**ORDER**

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff filed a motion for default judgment as to both Defendants in this case: Tian Tian Trading Inc. (“TTT”) and Weiwei Lin (“Lin”). [See ECF No. 62.] The Court scheduled a hearing on the default judgment motion for August 30, 2023. [ECF No. 71.] The Court directed Plaintiff to serve Defendants with a copy of the Court’s Order setting the hearing, Plaintiff’s motion for default judgment, and all supporting papers, and to file proof of service on the docket by August 14, 2023. [ECF No. 71.]

On August 15, 2023, Plaintiff filed a letter informing the Court that Plaintiff was unable to timely serve Defendants. [ECF No. 72.] With respect to Defendant TTT, Plaintiff had learned that the corporation was dissolved in May 2025. [ECF No. 72.] As for Defendant Lin, Plaintiff “no longer [had] a good address for him for traditional service.” [ECF No. 72.] Plaintiff requested leave to serve Defendant Lin via email and asked that such service be deemed sufficient and proper. [ECF No. 72.] The Court granted that request. [ECF No. 73.]

Plaintiff has filed another letter detailing further difficulties in serving Defendants. Plaintiff explains that it attempted to serve Defendant Lin via email, but that the email address listed on the docket is no longer active. [ECF No. 74.] Plaintiff also states that it acquired Defendant TTT’s Certificate of Dissolution from the Department of State and requests permission

to serve Defendant TTT at the address listed on that Certificate. [ECF No. 74.] Plaintiff provides no authority indicating that such service would be a proper method of serving a dissolved corporation under the Federal Rules of Civil Procedure or the New York Civil Practice Law and Rules.

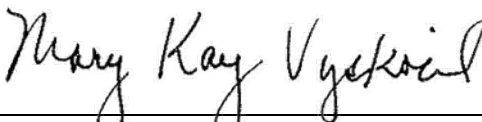
Accordingly, Plaintiff's request to serve Defendant TTT at the address listed in the Certificate of Dissolution is DENIED without prejudice to renewal. In any renewed request for leave to serve either Defendant, Plaintiff must provide the Court with legal authority indicating why its requested method of service is proper.

The outstanding service issues in this case preclude the Court from entering a default judgment at this time. Accordingly, the motion for a default judgment is DENIED without prejudice to renewal once Defendants have been properly served. The August 30, 2023 default judgment hearing is ADJOURNED *sine die*.

The Clerk of Court is respectfully requested to terminate ECF No. 62.

**SO ORDERED.**

**Date: August 23, 2023  
New York, NY**

  
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**MARY KAY VYSKOCIL**  
**United States District Judge**